

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Compounds and Methods for the Inhibition of the Expression of VCAM-1

the specification of which (check one)

☐ is attached hereto
☒ was filed on May 14, 1998
as application Serial No. 09/079,213
☒ and was amended on: August 5, 1999
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability and examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status

60/047,020

May 14, 1997

Abandoned

As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052
Jacqueline Haley, Reg. No. 41,457
Curtis L. Doster, Reg. No. 41,714
Lisa K. Norton, Reg. No. 44,977

W. Scott Petty, Reg. No. 35,645
Steven P. Wigmore, Reg. No. 40,447
W. Wayt King, Jr., Reg. No. 42,739

Send Correspondence to: Sherry M. Knowles, Esq.
King & Spalding
191 Peachtree Street
Atlanta, Georgia 30303-1763

Direct telephone calls to: Sherry M. Knowles (404) 572-3541

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Patricia K. Somers

Inventor's signature Patricia K. Somers Date 10/29/99

Residence 1162 Chambord Way Atlanta, Georgia 30319

Citizenship U.S.A.

Post Office Address Same as above

Full name of second joint inventor _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of third joint inventor _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fourth joint inventor _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

07-24-1998

7-9-98

FORM-PTO-1595
1-31-92

TRANS



100774745

IDATION

Atty. Docket 04676.105026

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Russell M. Medford,
Patricia K. Somers, Lee K. Hoong, and Charles O.
Meng
Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Atherogenics, Inc.

Foreign Address: _____

Domestic Address: 3065 Northwoods Circle,City: Norcross, State: Georgia ZIP: 30071

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name

Other _____

Execution Date: _____

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/079,213

B Patent Registration No. (s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sherry M. KnowlesKing & Spalding 191 Peachtree StreetAtlanta, Georgia 30303-1763Telephone No.: 404-572-3541Facsimile No.: 404-572-51456. Number of applications and patents involved:
one7. Total fee (37 CFR 3.41): \$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number

11-0980

(Attach duplicate copy of this page if paying by deposit account):

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy of the original document.

07/14/1998 BY EXAM 00000077 09079213

05 FC:581

Name of Person Signing

Signature

7/6/98

Date

Total number of pages comprising cover sheet:



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 05, 1998

PTAS

KING & SPALDING
SHERRY M. KNOWLES
191 PEACHTREE STREET
ATLANTA, GEORGIA 30303-1763



100774745A

OCT 15 1998

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/09/1998

REEL/FRAME: 9329/0429
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
MEDFORD, RUSSELL M.

DOC DATE: 06/29/1998

ASSIGNOR:
SOMERS, PATRICIA K.

DOC DATE: 06/24/1998

ASSIGNOR:
HOONG, LEE K.

DOC DATE: 06/24/1998

ASSIGNOR:
MENG, CHARLES O.

DOC DATE: 06/24/1998

ASSIGNEE:
ATHEROGENICS, INC.
3065 NORTHWOODS CIRCLE
NORCROSS, GEORGIA 30071

SERIAL NUMBER: 09079213
PATENT NUMBER:

FILING DATE: 05/14/1998
ISSUE DATE:

Docket #
Attorney SMK/JH
Due Date 11/14/98 W&S
Date Docketed 10/19/98

9329/0429 PAGE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

ANNIE HARRELL, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS


ASSIGNMENT

WHEREAS, WE, RUSSELL M. MEDFORD, PATRICIA K. SOMERS, LEE K. HOONG & CHARLES Q. MENG have invented certain improvements in COMPOUNDS AND METHODS FOR THE INHIBITION OF THE EXPRESSION OF VCAM-1 for which we have executed United States provisional application 60/047,020 on May 14, 1997 and an application 09/079,213 for United States Letters Patent on May 14, 1998; and

WHEREAS, ATHEROGENICS, INC., a Georgia corporation having an office at 3065 Northwoods Circle, Norcross, Georgia 30071, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by ATHEROGENICS, INC., the receipt and sufficiency of which are hereby acknowledged, I, RUSSELL M. MEDFORD, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto ATHEROGENICS, INC., in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

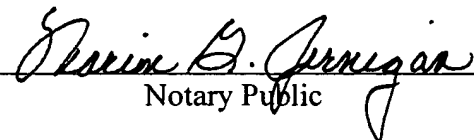
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 29 day of
JUNE, 1998.



Russell M. Medford

STATE OF GEORGIA)
)
COUNTY OF DeKalb) ss.

On this 29th day of June, 1998, before me, a notary public, came
Russell M. Medford to me known and known to be the individual described in and
who executed the foregoing assignment, and he duly acknowledged the same to be his free act
and deed.



Notary Public

(SEAL)

My commission expires: _____

Notary Public, DeKalb County, Georgia
My Commission Expires April 3, 2001

ASSIGNMENT

WHEREAS, WE, RUSSELL M. MEDFORD, PATRICIA K. SOMERS, LEE K. HOONG & CHARLES Q. MENG have invented certain improvements in COMPOUNDS AND METHODS FOR THE INHIBITION OF THE EXPRESSION OF VCAM-1 for which we have executed United States provisional application 60/047,020 on May 14, 1997 and an application 09/079,213 for United States Letters Patent on May 14, 1998; and

WHEREAS, ATHEROGENICS, INC., a Georgia corporation having an office at 3065 Northwoods Circle, Norcross, Georgia 30071, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by ATHEROGENICS, INC., the receipt and sufficiency of which are hereby acknowledged, I, PATRICIA K. SOMERS, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto ATHEROGENICS, INC., in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of

June, 1998.

Patricia K. Somers
Patricia K. Somers

STATE OF GEORGIA)
COUNTY OF Gwinnett)

SS.

On this 24th day of June, 1998, before me, a notary public, came Patricia K. Somers to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

Kevin B. Jennings
Notary Public

(SEAL)

My commission expires: _____

Notary Public, Fulton County, Georgia
My Commission Expires April 3, 2001

ASSIGNMENT


WHEREAS, WE, RUSSELL M. MEDFORD, PATRICIA K. SOMERS, LEE K. HOONG & CHARLES Q. MENG have invented certain improvements in COMPOUNDS AND METHODS FOR THE INHIBITION OF THE EXPRESSION OF VCAM-1 for which we have executed United States provisional application 60/047,020 on May 14, 1997 and an application 09/079,213 for United States Letters Patent on May 14, 1998; and

WHEREAS, ATHEROGENICS, INC., a Georgia corporation having an office at 3065 Northwoods Circle, Norcross, Georgia 30071, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by ATHEROGENICS, INC., the receipt and sufficiency of which are hereby acknowledged, I, LEE K. HOONG, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto ATHEROGENICS, INC., in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24 day of

June, 1998.

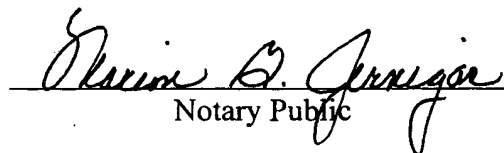


Lee K. Hoong

STATE OF GEORGIA)

COUNTY OF Burnett) SS.

On this 24th day of June, 1998, before me, a notary public, came Lee K. Hoong, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.



Notary Public

(SEAL)

My commission expires: _____

Notary Public, Fulton County, Georgia
My Commission Expires April 3, 2001

ASSIGNMENT

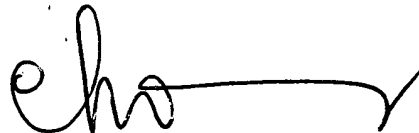
WHEREAS, WE, RUSSELL M. MEDFORD, PATRICIA K. SOMERS, LEE K. HOONG & CHARLES Q. MENG have invented certain improvements in COMPOUNDS AND METHODS FOR THE INHIBITION OF THE EXPRESSION OF VCAM-1 for which we have executed United States provisional application 60/047,020 on May 14, 1997 and an application 09/079,213 for United States Letters Patent on May 14, 1998; and

WHEREAS, ATHEROGENICS, INC., a Georgia corporation having an office at 3065 Northwoods Circle, Norcross, Georgia 30071, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by ATHEROGENICS, INC., the receipt and sufficiency of which are hereby acknowledged, I, CHARLES Q. MENG, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto ATHEROGENICS, INC., in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of

June, 1998.



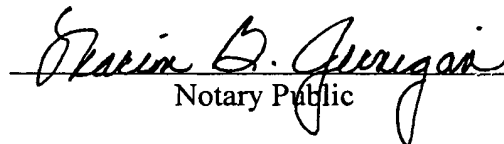
Charles Q. Meng

STATE OF GEORGIA)

COUNTY OF Brown)

ss.

On this 24th day of June, 1998, before me, a notary public, came Charles Q. Meng, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.



Notary Public

(SEAL)

My commission expires: _____

Notary Public, Fulton County, Georgia
My Commission Expires April 3, 2001